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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER SJ-02-0015A 10/540367 U.S. Patent and Trademark Office, see 37 CFR 1.5) |
| INTERNATIONAL APPLICATION NO. PCT/US2004/000635 | INTERNATIONAL FILING DATE 12 January 2004 | PRIORITY DATE CLAIMED 20 January 2003 |
| TITLE OF INVENTION USE OF SENDAI VIRUS AS A HUMAN PARAINFLUENZA VACCINE | | |
| APPLICANT(S) FOR DO/EO/US JULIA HURWITZ, KAREN SLOBOD, ALLEN PORTNER, CHRISTOPHER COLECLOUGH | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Letter Accompanying US National Phase Filing; copy of International Preliminary Examination Report. | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO.
10/540367

INTERNATIONAL APPLICATION NO.
 PCT/US2004/000635

ATTORNEY'S DOCKET NUMBER
 SJ-02-0015A

The following fees are submitted:—

CALCULATIONS

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|---|--------------|---|------------|------------------------|----------|--|
| 21. <input checked="" type="checkbox"/> Basic national fee | | | | \$300 | \$300.00 | |
| 22. <input checked="" type="checkbox"/> Examination fee | | | | | | |
| If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT article 33(1)-(4) | | | | \$100 | | |
| All other situations | | | | \$200 | \$100.00 | |
| 23. <input checked="" type="checkbox"/> Search Fees | | | | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority | | | | \$100 | | |
| International Search Report prepared and provided to the Office | | | | \$200 | | |
| All other situations | | | | \$500 | \$100.00 | |
| Total of 21, 22, and 23 | | | | | \$500.00 | |
| [] Additional fee for specification and drawings filed in paper over 100 sheet (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | \$ | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | | |
| 27 - 100 = | / 50 = | | X\$250 | | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months From the earliest claimed priority date (37 CFR 1.492(e)). | | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | \$ | |
| Total Claims | 11 - 20 = | | X \$50.00 | | \$ | |
| Independent Claims | 2 - 3 = | | X \$200.00 | | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + 360.00 | | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | | \$ 0.00 | |
| X Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | | \$250.00 | |
| SUBTOTAL = | | | | | \$250.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months From the earliest claimed priority date (37 CFR 1.492(f)). | | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | | \$250.00 | |
| Fee for recording the enclosed assignment (37 CFR 121(h)). The assignment must be Accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) \$40.00 per property + | | | | | \$ 0.00 | |
| TOTAL FEES ENCLOSED = | | | | | \$250.00 | |
| | | | | Amount to be Refunded: | \$ | |
| | | | | charged: | \$ | |

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 501968 in the amount of \$494.00 to cover the above fees.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 501968. A duplicated of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit Card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

JAMES SCOTT ELMER
 DIRECTOR, OFFICE OF TECHNOLOGY LICENSING
 ST. JUDE CHILDREN'S RESEARCH HOSPITAL
 332 N. LAUDERDALE ST., MAILSTOP 742
 MEMPHIS, TN 38105


 SIGNATURE

J. SCOTT ELMER
 NAME

36,129
 REGISTRATION NUMBER

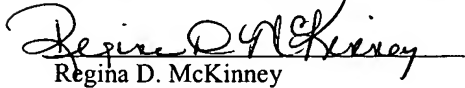
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JC20 Rec'd PCT/PTO 23 JUN 2005

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Regina D. McKinney

Docket No.: SJ-02-0015A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Julia HURWITZ; Karen SLOBOD; Allen PORTNER;
Christopher COLECLOUGH

Serial No.: t/b/a (U.S. National Phase of International Application No.

PCT/US2004/000635 filed January 12, 2004)

Filed: Concurrently Herewith (June 23, 2005)

For: USE OF SENDAI VIRUS AS A HUMAN PARAINFLUENZA VACCINE

LETTER ACCOMPANYING U.S. NATIONAL PHASE FILING

Hon. Commissioner of
Patent and Trademarks
PO Box 1450
Alexandria, VA 22313-1450
Mail Stop PCT

Sir:

Concurrently herewith, applicants have requested entry into the U.S. national phase for the above-identified international application under 35 U.S.C. §371.

During the course of international preliminary examination, Examiner Chen found claims 6-16 to meet the PCT criteria as to novelty, inventive step and industrial applicability. A copy of the International Preliminary Examination Report is enclosed.

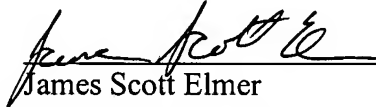
10/540367

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Applicants have herewith canceled claims 1-5. It is therefore submitted that the pending claims as amended herewith are in condition for allowance under U.S. practice. Pursuant to the provisions of 37 C.F.R. § 1.496(b), it is requested that this application be taken up out of order.

Respectfully submitted,

Dated: 06/23/2005


James Scott Elmer
Registration No. 36,129
Attorney for Applicant(s)

St. Jude Children's Research Hospital
Office of Technology Licensing
Mail Stop 742
Memphis, TN 38105

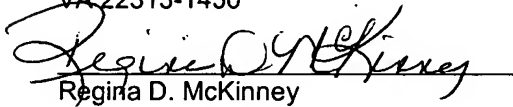
Serial No. t/b/a

Docket No. SJ-02-0015A

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Regina D. McKinney

June 23, 2005

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Mail Stop PCT

Re: US National Phase of International Application No. PCT/US2004/000635
filed January 12, 2004
Appl. No. To be assigned; Filed: Herewith (June 23, 2005)
For: Use of Sendai Virus as a Human Parainfluenza Vaccine
Inventors: Hurwitz, Slobod, Portner and Coleclough
Our Ref: SJ-02-0015A

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Transmittal Letter to the United States Designated/Elected Office Concerning a Submission under 35 U.S.C. 371 (2 pages with duplicate of fees page for a total of 3 pages);
2. Letter Accompanying U.S. National Phase Filing (2 pages);
3. Copy of International Preliminary Report (5 pages);
4. Preliminary Amendment (3 pages);

10/540367

JC20 Rec'd PCT/PTO 23 JUN 2005

5. U.S. National Phase Patent Application entitled:

~~Use of Sendai Virus as a Human Parainfluenza Vaccine~~

and naming as inventors:

Julia Hurwitz;
Karen Slobod;
Allen Portner; and
Christopher Coleclough

the application consisting of:

- a. A specification totaling 27 pages containing:
 - i. 24 pages of description prior to the claims;
 - ii. 2 pages of claims (16 claims); and
 - iii. a one (1) page abstract.
6. Executed Declaration and Power of Attorney for Patent Application (3 pages);
7. Information Disclosure Statement Under 37 CFR § 1.97 (2 pages);
8. Information Disclosure Form PTO/SB/08A listing disclosed documents A1-A5 and C1-C6 (2 pages);
9. Copies of references C1 through C6 listed on the Information Disclosure Statement;
10. Express Mail Label No. EV 143571334 US and
11. One (1) self-addressed and stamped return postcard.

Regards,



J. Scott Elmer
Reg. No. 36,129
Director, Office of
Technology Licensing

Enclosures